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6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 United States of America,) Case No.: 2:21 mj 00150-EJY
9 Plaintiff,) Stipulation to Continue Preliminary
10 vs.) Hearing Date (First Request)
11 JACQUAVIUS TRISHUN POWELL)
12 Defendants.)
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15 IT IS HEREBY STIPULATED AND AGREED, by and between Nicholas A.
16 Trutanich, United States Attorney, Edward Veronda, Assistant United States Attorney,
17 counsel for the United States of America and Nicholas Wooldridge, Esq., counsel for
18 defendant Jacquavious Powell.

19 THAT THE PRELIMINARY HEARING CURRENTLY SCHEDULED FOR
20 March 4, 2021, at 4:00 p.m. before U.S. Magistrate Elayna J. Youshah be vacated and set to
21 a time convenient for the Court, but no earlier than 60 days from the current setting.

22 This stipulation is entered into for the following reasons:

- 23 1. The government will provide counsel for the defendant with limited Rule 16
24 Discovery in order to facilitate a possible pre-indictment resolution. Counsel for the

1 defendant requests an opportunity to review the discovery and discuss it with his
2 client prior to a preliminary hearing or an indictment.

- 3 2. Defense counsel and counsel for the government agree to the continuance.
4 3. The defendant is not detained and agrees to the continuance.
5 4. Denial of this request for a continuance could result in a miscarriage of justice.
6 5. The additional time requested by this Stipulation is excludable in computing the time
7 from the filing of the criminal complaint through which the government must assert
8 an criminal Information or seek an Indictment by the Grand Jury pursuant to the
9 Speedy Trial Act, Title 18, United States Code Section 3161(h)(7)(A), when
10 considering the factors under Title 18, United States Code, Sections 3161(h)(7)(B)
11 and 3161(h)(7)(B)(iv).
- 12 6. This is the first request for a continuance.

13 Dated this ____ day of February 2021.

14 Respectfully Submitted,

15 NICHOLAS A. TRUTANICH
16 United States Attorney

17 EDWARD G. VERONDA
18 Assistant United States Attorney

19 NICHOLAS WOOLDRIDGE, ESQ.
20 Counsel for defendant Jaquavious Powell

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23 NICHOLAS A. TRUTANICH
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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

1 United States of America,) Case No.: 2:21 mj 00150-EJY
2 Plaintiff,) Stipulation to Continue Preliminary
3 vs.) Hearing Date (First Request)
4 JACQUAVIUS TRISHUN POWELL)
5 Defendants.)
6 _____)
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FINDINGS OF FACT

13 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
14 Court finds that:

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1. The period within which the government may assert an Information or seek an Indictment through the Grand Jury against the defendant is hereby extended from the date of the filing of the complaint up through and including May 4, 2021.
 2. The government will provide counsel for the defendant with limited Rule 16 Discovery in order to facilitate a pre-indictment resolution. Counsel for the defendant requests an opportunity to review the discovery and discuss it with his client prior to a preliminary hearing or an indictment.

- 1 3. Both counsel for the defendant and counsel for the government agree to the
2 continuance.
3 4. The defendant is not detained and agrees to the continuance.
4 5. The additional time requested by this Stipulation is excludable in computing the
5 time within which the trial herein must commence pursuant to the Speedy Trial Act, Title
6 18, United States Code Section 3161(h)(7)(A), when considering the factors under Title 18,
7 United States Code, Sections 3161(h)(7)(B) and 3161(h)(7)(B)(iv).

8 6. This is the first request to continue the preliminary hearing.

9 For all of the above-stated reasons, the end of justice would best be served by a
10 continuance of the preliminary hearing.

11 ORDER

12 IT IS ORDERED that the preliminary hearing currently scheduled for March 4,
13 2021, at 4:00 p.m. be vacated and continued to May 3, 2021, at the hour of
14 4:00 p.m., in Courtroom 3A.

15 DATED this 23rd day of February 2021.

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17 _____
18 UNITED STATES MAGISTRATE JUDGE